✎AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

JUDGE LYNCH

_____ Southern _____   District of   _____ New York _____

Xiao Kai Zhang

SUMMONS IN A CIVIL ACTION

V.

City of New York, et al.

CASE NUMBER:

08 CV 2334

TO: (Name and address of Defendant)

New York City Police Department
One Police Plaza
New York, NY 10038

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Adam D. Perlmutter, Law Offices of Adam D. Perlmutter, PC
260 Madison Avenue, Suite 1800
New York, NY 10016
Tel (212) 679-1990
Fax (212) 679-1995

an answer to the complaint which is served on you with this summons, within _____ 20 _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAR 0 6 2008

CLERK

DATE

(By) DEPUTY CLERK

AFFIDAVIT OF SERVICE

STATE OF NEW YORK   )
) ss.:
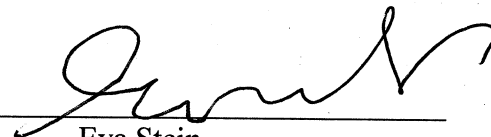COUNTY OF NEW YORK   )

EVA STEIN, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides in Brooklyn, New York.

On March 7, 2008, deponent served a true and correct copy of the within **SUMMONS & COMPLAINT** upon:
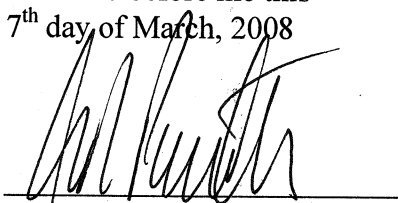
> New York City Police Department
> c/o City of New York
> 100 Church Street
> New York, NY 10007

by hand delivering the same to Kenneth Majerus, Chief of Operations, a designated representative of the above party at the address indicated above.

_____
Eva Stein

Sworn to before me this
7th day of March, 2008

_____
Notary Public

ADAM D. PERLMUTTER
Notary Public, State of New York
No. 02PE6036727
Qualified in Kings County
Commission Expires February 7, 2010